

1 Rene L. Valladares  
Federal Public Defender  
2 Nevada State Bar No. 11479  
\*Ryan Norwood  
3 Assistant Federal Public Defender  
New Hampshire Bar #15604  
4 411 E. Bonneville Ave., Ste. 250  
Las Vegas, Nevada 89101  
5 (702) 388-6577  
Ryan\_Norwood@fd.org  
6 \*Amelia Bizzaro  
Assistant Federal Public Defender  
7 Wisconsin State Bar No. 1045709  
411 E. Bonneville Ave., Ste. 250  
8 Las Vegas, Nevada 89101  
(702) 388-6577  
9 Amelia\_Bizzaro@fd.org  
\*Attorneys for Petitioner James Davis

11 UNITED STATES DISTRICT COURT  
12 DISTRICT OF NEVADA

13 James Anthony Davis,

14 Plaintiff,

15 v.

16 Michael Minev, *et al.*,

17 Defendants.  
18

Case No. 2:22-cv-01796-RFB-DJA

**Third Stipulation for Revised  
Scheduling Order**

19  
20 Pursuant to FRCP 16(b)(4) and Local Rule ~~26-2~~<sup>26-3</sup>, the parties stipulate and agree  
21 to modify/extend the Scheduling Order (ECF No. 59) and respectfully request the  
22 Court approve the proposed schedule, set forth herein. This is the third stipulation  
23 for the extension of these deadlines. This request is submitted at least twenty-one  
24 (21) days or more before the close of discovery (December 30, 2024) is made in good  
25 faith, and is supported by good cause.  
26

**STATEMENT OF FACTS IN SUPPORT OF STIPULATION**

On May 8, 2024, the Court approved the parties' stipulation for a discovery schedule. Shortly thereafter, Plaintiff's counsel diligently began discovery, making an initial disclosure and serving a request for production (RFP) on May 17, 2024 for a number of documents from NDOC, including Mr. Davis's medical records.

As previously noted, the discovery production in this case is particularly large, so far encompassing over 3,000 pages of documents. Plaintiff's counsel, after agreeing to an extension of the production deadline sought by Defendants, did not receive an initial disclosure until June 21, and received subsequent disclosures on July 1, July 11, and August 1. Plaintiff's counsel has required significant time to organize and review these records, so that he can determine what other discovery is needed to fully develop the claims in this case.

Since the prior extension was sought, counsel have proceeded with discovery. Plaintiff's counsel has noticed a Rule 30(b)(6) deposition, which he expects to complete in November. Plaintiff's counsel expects to notice further depositions pending completion of their review of the records, which is still ongoing. Counsel's preparations have been complicated by the fact that Mr. Davis has recently been brought back to the High Desert State Prison because of an alleged parole violation, which has complicated attorney-client communications and raises additional concerns about his medical care, which the parties expect to confer about soon.

Having conferred, the parties agree that more time is needed to conduct discovery and ask for a sixty (60) day extension of the current deadlines.

- The parties may engage in discovery until February 28, 2025;
- Expert disclosures must be made on or before December 30, 2024, and disclosures of rebuttal experts must be made on or before January 29, 2025.

- Dispositive Motions: that they be filed and served no later than March 31, 2025;
- Joint Pretrial Order: that it be due on April 30, 2025. If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

### CONCLUSION

Based on the foregoing and for good cause appearing, the Parties respectfully request that the Court approve their Stipulation and alter the discovery deadlines as set forth above.

Dated October 29, 2024

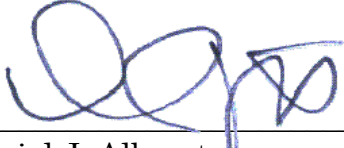
Aaron D. Ford  
Attorney General

Rene L. Valladares  
Federal Public Defender

/s/ Douglas R. Rands for  
Kyle L. Hill  
Deputy Attorney General

/s/ Ryan Norwood  
Ryan Norwood  
Assistant Federal Public Defender

IT IS SO ORDERED:

  
\_\_\_\_\_  
Daniel J. Albregts  
United States Magistrate Judge  
Dated: 10/30/2024